

REMARKS

Claims 1 and 23 have been amended. Attached as an APPENDIX is another version of the rewritten claims, marked up to show all the changes relative to the previous version of the claims. Upon entry of the amendments, claims 1-15, 18-23, 25-26, 28 and 30 are pending in this application.

Claims 1-3, 5, 9-12 and 13 stand rejected under 35 USC 102(b) as being anticipated by Oretsky (US 4,647,049). Claims 23, 26, 26, 28 and 30 stand rejected under 35 USC 102(b) as being anticipated by Eplett (US 4,696,476). Claims 4, 6-8 and 18 stand rejected under 35 USC 103 as being unpatentable over Oretsky in view of Bulbrook (UK 2,229,099). Claims 14-15 stand rejected under 35 USC 103 as being unpatentable over Oretsky in view of Gaito (US 5,462,281). Claims 19-22 stand rejected under 35 USC 103 as being unpatentable over Oretsky in view of Wood (US 5,868,388).

**1. Oretsky does not disclose the invention recited in amended claim 1.**

Independent claim 1 has been amended to recite that the plurality of three-dimensional playing segments are noncontiguous and are selectively moveable relative to one another to define a rectilinear or non-rectilinear array of playing spaces on which a game of chess may be played.

Oretsky does not disclose a plurality of playing segments that are noncontiguous. Rather, Oretsky utilizes a single rectangular playing board having a playing surface divided into a plurality of individual squares. Thus, the bottoms of the squares are connected, precluding the squares from being selectively moveable relative to one another. Because the squares of Oretsky are connected in a rectilinear array, they cannot be moved to obtain a non-rectilinear array. The moveable grid of Oretsky also is rectangular, and Oretsky specifically discloses that the moveable grid forms nine contiguous squares (column 3, line 59). Such a moveable grid would not fit into an array of non-rectilinear voids or grooves.

For at least the foregoing reasons, it is respectfully requested that the rejection of claim 1, as well as the rejection of dependent claims 2-15 and 18-22, be withdrawn and that the claims be allowed.

**2. *Bulbrook, Gaito, and Wood do not cure the deficiencies of Oretsky as a teaching reference.***

Bulbrook discloses a game playing surface with a plurality of playing squares. The playing squares are not moveable to form a non-rectilinear array of playing spaces. Moreover, combining the teachings of Bulbrook with Oretsky would destroy the intended function of Oretsky, which is to provide a moveable grid that fits over and encompasses nine squares on the board. The grooves in the Oretsky board are and

presumably must be of uniform depth to be enable the moveable grid to be received therein. The depths of the grooves in Bulbrook vary across the board.

Gaito and Wood also fail to disclose that the playing squares thereof are moveable relative to one another to define a rectilinear or non-rectilinear array of playing spaces on which a game of chess may be played. Moreover, Wood does not disclose void fillers disposed in respective voids, separating adjacently disposed playing segments.

For these further reasons, it is respectfully requested that the rejection of claims 4, 6-8, 14-15 and 18-22 be withdrawn and that these claims be allowed.

**3. *Eplett does not disclose the invention recited in amended claim 23.***

Independent claim 23 has been amended to recite that the first and second opposing playing segments of the chess game playing array assembly include respective topographic geometries that are different from one another.

Eplett does not disclose first and second playing segments having differing topographic geometries. In contrast, the gameboard 10 of Eplett is made of at least four sections 11, 12, 13 and 14. Also, Eplett discloses that the sections are "similar" to facilitate their being nested together to form a rectangular substantially cubic polyhedron. (Eplett, column 2, lines 58-61). Indeed, making the playing segments different in Eplett may destroy the nestability of the playing segments.

For at least the foregoing reasons, it is respectfully requested that the rejection of claim 23, as well as the rejection of dependent claims 25 and 26, be withdrawn and that the claims be allowed.

**4. *Eplett does not disclose the invention recited in claim 28.***

Claim 28 recites a chess game playing array assembly comprising first, second and third three dimensional playing segments. The first and second playing segments including respective first and second playing motifs, the first playing motif being different than the second playing motif. The third playing segment is disposed between the first and second playing segments and includes a third playing motif different from that of the first and second playing motifs.

Eplett does not disclose first, second and third playing segments having different playing motifs. As above noted, Eplett requires at least four playing segments and that the segments be similar.

For at least the foregoing reasons, it is respectfully requested that the rejection of claim 28, as well as the rejection of dependent claim 30, be withdrawn and that the claims be allowed.

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***Conclusion***

In view of the foregoing, the present application is believed to be in condition for allowance and an early indication to that effect is earnestly solicited.

The Commissioner is authorized to charge any fees, including additional claim fees, to Deposit Account No. 18-0988, Order No. HUTCP0101US.

Respectfully submitted,

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## APPENDIX

### In the Claims:

*Please amend claims 1 and 23 as follows:*

1. (Twice Amended) A chess game playing array assembly comprising:  
a plurality of three-dimensional noncontiguous playing segments that are  
selectively moveable [disposed] relative to one another to define [an] a rectilinear or  
non-rectilinear array of playing spaces on which a game of chess may be played;  
wherein the plurality of three dimensional playing segments are spaced  
apart by one or more rectilinear or non-rectilinear voids, and  
one or more void fillers disposed in the respective one or more voids,  
wherein the one or more void fillers comprises an upstanding wall  
separating adjacently disposed playing segments.

23. (Twice Amended) A chess game playing array assembly comprising:  
first and second opposing playing segments disposed relative to one  
another to define an array of playing spaces on which a game of chess may be played;  
wherein the first and second opposing playing segments are sloped, and  
wherein the first playing segment includes a first motif having a first landscape terrain  
pattern and the second playing segment includes a second motif having a second

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landscape terrain pattern different from that of the first landscape terrain pattern of the first motif: and

wherein the first and second opposing playing segments include  
respective topographic geometries that are different from one another.

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